

# United States Senate

WASHINGTON, DC 20510

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June 2, 2014

The Honorable Thomas Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Chairman Wheeler:

On December 18, 2013 the Federal Communication Commission (FCC) released a Notice of Proposed Rulemaking (NPRM) to eliminate the Commission's sports blackout rules and requested subsequent public comment on the proposal. Now that the comment deadline has long passed, we urge the Commission to move forward expeditiously on eliminating the sports blackout rule (SBR). We believe that the rule unfairly harms consumers by insulating the NFL from market realities and punishing fans in cities with large stadiums and declining populations. We applaud the FCC's decision to propose elimination of this outdated rule that is no longer supported by facts or logic, and blocks fans from enjoying their favorite teams.

Since the Commission voted unanimously to adopt the sports blackout NPRM, you have heard from consumers, economists, academics, professional sports leagues, broadcasters, cable operators, satellite TV providers, and Internet Service Providers, producing a robust and detailed record. This thorough record is further enriched by the original proceeding, established two years ago, seeking comment on what factors the Commission should consider before writing the current proposed rulemaking.

We agree wholeheartedly with the Commission that, "the sports blackout rules have become obsolete," and we believe the record clearly supports the FCC's tentative conclusions in favor of eliminating this unnecessary rule. In sum, the Commission has collected the facts and has a rich public record upon which to base a decision. Now it must act. We ask that you commit to bringing a final order to a vote within the next 60 days.

Sincerely,



RICHARD BLUMENTHAL  
United States Senate



JOHN MCCAIN  
United States Senate



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

June 17, 2014

The Honorable Richard Blumenthal  
United States Senate  
724 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter expressing your views on the Commission's pending proceeding regarding the sports blackout rule. I appreciate your long-standing interest in this issue.

As you indicate, the Commission proposed to eliminate the sports blackout rules in December 2013. In addition to assessing whether there is still a need for the rules, we also sought comment on our authority to eliminate, as well as the impact of such action. As you are aware, the Commission has acknowledged that repeal of the FCC's rules alone may not end blackouts, but it would leave carriage issues to privately negotiated arrangements. Comment periods ended in March, and the Bureau staff is reviewing the record developed.

I share your desire for a quick resolution to this pending proceeding. I have asked the Media Bureau staff to complete their review and to provide recommendations for the full Commission's consideration by early fall.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", written over a horizontal line.

Tom Wheeler



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

June 17, 2014

The Honorable John McCain  
United States Senate  
241 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator McCain:

Thank you for your letter expressing your views on the Commission's pending proceeding regarding the sports blackout rule. I appreciate your long-standing interest in this issue.

As you indicate, the Commission proposed to eliminate the sports blackout rules in December 2013. In addition to assessing whether there is still a need for the rules, we also sought comment on our authority to eliminate, as well as the impact of such action. As you are aware, the Commission has acknowledged that repeal of the FCC's rules alone may not end blackouts, but it would leave carriage issues to privately negotiated arrangements. Comment periods ended in March, and the Bureau staff is reviewing the record developed.

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Tom Wheeler